

opportunity to again pass meaningful reform to not only promote personal accountability but also to strengthen the opportunities for legitimate claims to be heard and adjudicated. Let us take one more step to turn back the tide of so-called "jackpot justice."

While runaway juries and frivolous lawsuits might make a few individuals and certain ambulance-chasing lawyers rich, the American people ultimately pay the price both economically and socially.

Mr. Speaker, discouraging individuals from taking personal responsibility does not help anyone. In fact, it will only make matters worse. Encouraging healthy lifestyles and wise dietary choices should always trump rewarding poor decisions by shifting the blame to innocent bystanders.

The Personal Responsibility in Food Consumption Act of 2005 is a good bill, and I look forward to further discussing its merits on the House floor today.

Mr. Speaker, as I mentioned earlier, a strong bipartisan majority passed this bill in the last Congress; and I have no reason to doubt that we should be able to pass it again by a similar, maybe even a stronger, margin; and I urge my colleagues to support this rule and the underlying bill.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise to join many of my colleagues in strongly opposing the restrictive rule set forth on H.R. 554, the "The Personal Responsibility In Food Consumption Act of 2005." As you know, in light of the world we live and the importance of nutrition, this is a very important piece of legislation. Having such a restrictive rule truly goes too far and limits the protections of the American people. It goes without saying; this bill is drafted so broadly, it would immunize defendants for negligent and reckless behavior, including mislabeling of food products. I also object to the fact that the legislation applies retroactively, and is written for the benefit of a single special interest—the fast food industry. Third, I believe the legislation constitutes an unwarranted and hastily considered affront on our system of federalism. Finally, I oppose the bill because there are far preferable ways to respond to this issue than by rushing to judgment to pass a one-size-fits-all Federal law preempting all 50 states. Despite my concerns, I am pleased to see that a few very important amendments were ruled into order. If adopted, I believe these amendments will make major improvements to the bill.

In closing, let me note that while this issue may be important, there are far more urgent issues we need to be focusing on at this time. The aftermath of hurricanes Katrina and Rita, where thousands lost their homes and hundreds lost their lives. Unfortunately, those who were impacted the most were children. For example, many children lost 1 or both parents or a guardian as a result of Hurricane Katrina and Rita. This is where our thoughts and legislative actions need to be. In addition, the earthquake registering 7.6 in magnitude that struck Pakistan has caused major devastation in the region. While the numbers are still coming in, it has been estimated that 23,000 have died and at least 47,000 have been injured. There have also been a historical number of

children impacted by this massive earthquake. Those impacted have no access to clean drinking water, making them more vulnerable to disease and other infections.

Mr. GINGREY. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. LATOURETTE). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. GINGREY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 3 o'clock and 54 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1730

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. LATOURETTE) at 5 o'clock and 30 minutes p.m.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on H. Res. 494 and on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H. Res. 494, by the yeas and nays;  
H.R. 1409, by the yeas and nays;  
H. Res. 492, by the yeas and nays;  
H.R. 3549, by the yeas and nays;  
H.R. 3853, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

#### PROVIDING FOR CONSIDERATION OF H.R. 554, PERSONAL RESPONSIBILITY IN FOOD CONSUMPTION ACT OF 2005

The SPEAKER pro tempore. The pending business is the vote on adoption of House Resolution 494 on which the yeas and nays are ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

The vote was taken by electronic device, and there were—yeas 310, nays 114, not voting 9, as follows:

[Roll No. 524]

#### YEAS—310

Aderholt	Fortenberry	Melancon
Akin	Fossella	Menendez
Alexander	Fox	Mica
Baca	Frank (MA)	Michaud
Bachus	Franks (AZ)	Miller (FL)
Baker	Frelinghuysen	Miller (MI)
Barrett (SC)	Gallely	Miller, Gary
Barrow	Garrett (NJ)	Moore (KS)
Bartlett (MD)	Gerlach	Moran (KS)
Barton (TX)	Gibbons	Moran (VA)
Bass	Gilchrest	Murphy
Bean	Gillmor	Musgrave
Beauprez	Gingrey	Myrick
Berkley	Gohmert	Neal (MA)
Berry	Gonzalez	Neugebauer
Biggert	Goode	Ney
Bilirakis	Goodlatte	Northup
Bishop (GA)	Gordon	Norwood
Bishop (NY)	Granger	Nunes
Bishop (UT)	Graves	Nussle
Blackburn	Green (WI)	Ortiz
Blunt	Green, Gene	Osborne
Boehlert	Gutierrez	Otter
Boehner	Gutknecht	Oxley
Bonilla	Hall	Paul
Bonner	Harman	Pearce
Bono	Harris	Pelosi
Boozman	Hart	Pence
Boren	Hastings (WA)	Peterson (MN)
Boucher	Hayes	Peterson (PA)
Boustany	Hayworth	Petri
Boyd	Hefley	Pickering
Bradley (NH)	Hensarling	Pitts
Brady (TX)	Herger	Platts
Brown (SC)	Herseth	Poe
Brown-Waite,	Higgins	Pombo
Ginny	Hinojosa	Pomeroy
Burgess	Hobson	Porter
Burton (IN)	Hoekstra	Price (GA)
Buyer	Hoolley	Pryce (OH)
Calvert	Hostettler	Putnam
Camp	Hoyer	Radanovich
Cannon	Hulshof	Ramstad
Cantor	Hunter	Rangel
Capito	Hyde	Regula
Carson	Inglis (SC)	Rehberg
Carter	Israel	Reichert
Case	Issa	Renzi
Castle	Istook	Reyes
Chabot	Jackson-Lee	Reynolds
Chandler	(TX)	Rogers (AL)
Chocola	Jenkins	Rogers (KY)
Coble	Jindal	Rogers (MI)
Cole (OK)	Johnson (CT)	Rohrabacher
Conaway	Johnson (IL)	Ros-Lehtinen
Conyers	Johnson, Sam	Ross
Cooper	Jones (NC)	Royce
Costa	Kelly	Ruppersberger
Cramer	Kennedy (MN)	Ryan (WI)
Crenshaw	Kennedy (RI)	Ryun (KS)
Cubin	Kildee	Salazar
Cuellar	Kind	Sanchez, Linda
Culberson	King (IA)	T.
Cunningham	King (NY)	Sanchez, Loretta
Davis (AL)	Kirk	Sanders
Davis (CA)	Kline	Saxton
Davis (KY)	Knollenberg	Schmidt
Davis (TN)	Kolbe	Schwartz (PA)
Davis, Jo Ann	Kuhl (NY)	Schwarz (MI)
Davis, Tom	LaHood	Scott (GA)
Deal (GA)	Langevin	Scott (VA)
DeFazio	Larsen (WA)	Sensenbrenner
DeGette	Latham	Serrano
DeLay	LaTourette	Sessions
Dent	Leach	Shadegg
Diaz-Balart, L.	Lewis (CA)	Shaw
Diaz-Balart, M.	Lewis (KY)	Shays
Dicks	Linder	Sherwood
Dingell	LoBiondo	Shimkus
Doolittle	Lucas	Shuster
Doyle	Lungren, Daniel	Simmons
Drake	E.	Simpson
Dreier	Lynch	Skelton
Duncan	Mack	Smith (NJ)
Edwards	Manzullo	Smith (TX)
Ehlers	Marchant	Smith (WA)
Emanuel	Marshall	Snyder
Emerson	Matheson	Soderl
English (PA)	McCauley (TX)	Souder
Everett	McCotter	Stearns
Feeney	McCrery	Sullivan
Ferguson	McHenry	Sweeney
Fitzpatrick (PA)	McHugh	Tancredo
Flake	McIntyre	Tanner
Foley	McKeon	Taylor (MS)
Forbes	McMorris	Taylor (NC)

Terry  
Thomas  
Thompson (CA)  
Thornberry  
Tiahrt  
Tiberi  
Turner  
Upton  
Van Hollen

Walden (OR)  
Walsh  
Wamp  
Wasserman  
Schultz  
Weldon (FL)  
Weldon (PA)  
Weller  
Westmoreland

Whitfield  
Wicker  
Wilson (NM)  
Wilson (SC)  
Wolf  
Wu  
Wynn  
Young (AK)  
Young (FL)

## NAYS—114

Abercrombie  
Ackerman  
Allen  
Baird  
Baldwin  
Becerra  
Berman  
Blumenauer  
Brady (PA)  
Brown (OH)  
Brown, Corrine  
Butterfield  
Capps  
Capuano  
Cardin  
Cardoza  
Carnahan  
Clay  
Cleaver  
Clyburn  
Costello  
Crowley  
Cummings  
Davis (IL)  
DeLauro  
Doggett  
Engel  
Eshoo  
Etheridge  
Evans  
Farr  
Fattah  
Filner  
Ford  
Green, Al  
Hastings (FL)  
Hinchey  
Holden

Holt  
Honda  
Inslee  
Jackson (IL)  
Jefferson  
Johnson, E. B.  
Jones (OH)  
Kanjorski  
Kaptur  
Kilpatrick (MI)  
Kucinich  
Lantos  
Larson (CT)  
Lee  
Levin  
Lipinski  
Lofgren, Zoe  
Lowey  
Maloney  
Markey  
Matsui  
McCarthy  
McCollum (MN)  
McDermott  
McGovern  
McKinney  
McNulty  
Meehan  
Meek (FL)  
Meeks (NY)  
Millender  
McDonald  
Miller (NC)  
Miller, George  
Mollohan  
Moore (WI)  
Murtha  
Nadler  
Napolitano

Oberstar  
Obey  
Olver  
Owens  
Pallone  
Pascrell  
Pastor  
Payne  
Price (NC)  
Rahall  
Rothman  
Rush  
Ryan (OH)  
Sabo  
Schakowsky  
Sherman  
Slaughter  
Solis  
Spratt  
Stark  
Strickland  
Stupak  
Tauscher  
Thompson (MS)  
Tierney  
Towns  
Udall (CO)  
Udall (NM)  
Velázquez  
Visclosky  
Waters  
Watson  
Watt  
Waxman  
Weiner  
Wexler  
Woolsey

## NOT VOTING—9

Andrews  
Boswell  
Davis (FL)

Grijalva  
Keller  
Kingston

Lewis (GA)  
Roybal-Allard  
Schiff

□ 1753

Mr. BERMAN, Mr. DAVIS of Illinois, Mrs. LOWEY, Mrs. MCCARTHY, Mr. OWENS, and Mr. WAXMAN changed their vote from “yea” to “nay.”

Messrs. GONZALEZ, THOMPSON of California, KENNEDY of Rhode Island, VAN HOLLEN, and LANGEVIN changed their vote from “nay” to “yea.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### ASSISTANCE FOR ORPHANS AND OTHER VULNERABLE CHILDREN IN DEVELOPING COUNTRIES ACT OF 2005

The SPEAKER pro tempore (Mr. LATOURETTE). The pending business is the question of suspending the rules and passing the bill, H.R. 1409, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. HYDE) that the House suspend the rules and pass the bill, H.R. 1409, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 415, nays 9, not voting 9, as follows:

[Roll No. 525]

## YEAS—415

Abercrombie  
Ackerman  
Aderholt  
Akin  
Alexander  
Allen  
Baca  
Bachus  
Baird  
Baker  
Baldwin  
Barrett (SC)  
Barrow  
Bartlett (MD)  
Barton (TX)  
Bass  
Bean  
Beauprez  
Becerra  
Berkley  
Berman  
Berry  
Biggart  
Bilirakis  
Bishop (GA)  
Bishop (NY)  
Bishop (UT)  
Blackburn  
Blumenauer  
Blunt  
Boehlert  
Boehner  
Bonilla  
Bonner  
Bono  
Boozman  
Boren  
Boucher  
Boustany  
Boyd  
Bradley (NH)  
Brady (PA)  
Brady (TX)  
Brown (OH)  
Brown (SC)  
Brown, Corrine  
Burgess  
Burton (IN)  
Butterfield  
Buyer  
Calvert  
Camp  
Cannon  
Cantor  
Capito  
Capps  
Capuano  
Cardin  
Cardoza  
Carnahan  
Carson  
Carter  
Case  
Castle  
Chabot  
Chandler  
Chocola  
Clay  
Cleaver  
Clyburn  
Coble  
Cole (OK)  
Conaway  
Conyers  
Cooper  
Costa  
Costello  
Cramer  
Crenshaw  
Crowley  
Cubin  
Cuellar  
Culberson  
Cummings  
Cunningham  
Davis (AL)  
Davis (CA)  
Davis (IL)  
Davis (KY)  
Davis (TN)  
Davis, Jo Ann  
Davis, Tom

Deal (GA)  
DeFazio  
DeGette  
DeLauro  
DeLay  
Dent  
Diaz-Balart, L.  
Diaz-Balart, M.  
Dicks  
Dingell  
Doggett  
Doyle  
Drake  
Dreier  
Duncan  
Edwards  
Ehlers  
Emanuel  
Emerson  
Engel  
English (PA)  
Eshoo  
Etheridge  
Evans  
Everett  
Farr  
Fattah  
Feeney  
Ferguson  
Filner  
Fitzpatrick (PA)  
Foley  
Forbes  
Ford  
Fortenberry  
Fossella  
Foxy  
Frank (MA)  
Franks (AZ)  
Frelinghuysen  
Gallegly  
Garrett (NJ)  
Gerlach  
Gibbons  
Gilchrest  
Gillmor  
Gingrey  
Gonzalez  
Goode  
Goodlatte  
Gordon  
Granger  
Graves  
Green (WI)  
Green, Al  
Green, Gene  
Gutierrez  
Gutknecht  
Hall  
Harman  
Harris  
Hart  
Hastings (FL)  
Hastings (WA)  
Hayes  
Hayworth  
Hefley  
Hensarling  
Herger  
Herseth  
Higgins  
Hinchey  
Hinojosa  
Hobson  
Hoekstra  
Holden  
Holt  
Honda  
Hooley  
Hostettler  
Hoyer  
Hulshof  
Hunter  
Hyde  
Inglis (SC)  
Inslee  
Israel  
Issa  
Istook  
Jackson (IL)

Jackson-Lee (TX)  
Jefferson  
Jenkins  
Jindal  
Johnson (CT)  
Johnson (IL)  
Johnson, E. B.  
Jones (NC)  
Jones (OH)  
Kanjorski  
Kaptur  
Kelly  
Kennedy (MN)  
Kennedy (RI)  
Kildee  
Kilpatrick (MI)  
Kind  
King (IA)  
King (NY)  
Kirk  
Kline  
Knollenberg  
Kolbe  
Kucinich  
Kuhl (NY)  
LaHood  
Langevin  
Lantos  
Larsen (WA)  
Larson (CT)  
Latham  
LaTourette  
Leach  
Lee  
Levin  
Lewis (CA)  
Lewis (KY)  
Linder  
Lipinski  
LoBiondo  
Lofgren, Zoe  
Lowey  
Lucas  
Lungren, Daniel E.  
Lynch  
Mack  
Maloney  
Manzullo  
Marchant  
Markey  
Marshall  
Matheson  
Matsui  
McCarthy  
McCaul (TX)  
McCollum (MN)  
McCotter  
McCrery  
McDermott  
McGovern  
McHenry  
McHugh  
McIntyre  
McKeon  
McKinney  
McMorris  
McNulty  
Meehan  
Meek (FL)  
Meeks (NY)  
Melancon  
Menendez  
Mica  
Michaud  
Millender  
McDonald  
Miller (FL)  
Miller (MI)  
Miller (NC)  
Miller, Gary  
Miller, George  
Mollohan  
Moore (KS)  
Moore (WI)  
Moran (KS)  
Moran (VA)  
Murphy  
Murtha  
Musgrave  
Myrick

Nadler  
Napolitano  
Neal (MA)  
Neugebauer  
Ney  
Northup  
Norwood  
Nunes  
Nussle  
Oberstar  
Obey  
Olver  
Ortiz  
Osborne  
Otter  
Owens  
Oxley  
Pallone  
Pascrell  
Pastor  
Payne  
Pearce  
Pelosi  
Pence  
Peterson (MN)  
Peterson (PA)  
Petri  
Pickering  
Pitts  
Platts  
Poe  
Pombo  
Pomeroy  
Porter  
Price (GA)  
Price (NC)  
Pryce (OH)  
Putnam  
Radanovich  
Rahall  
Ramstad  
Rangel  
Regula  
Rehberg  
Reichert  
Renzi  
Reyes  
Reynolds

Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Ros-Lehtinen  
Ross  
Rothman  
Royce  
Ruppersberger  
Rush  
Ryan (OH)  
Ryan (WI)  
Ryun (KS)  
Sabo  
Salazar  
Sanchez, Linda T.  
Sanchez, Loretta  
Sanders  
Saxton  
Schakowsky  
Schmidt  
Schwartz (PA)  
Schwarz (MI)  
Scott (GA)  
Scott (VA)  
Sensenbrenner  
Serrano  
Sessions  
Shaw  
Shays  
Sherman  
Sherwood  
Shimkus  
Simmons  
Simpson  
Skelton  
Slaughter  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Snyder  
Sodrel  
Solis  
Souder  
Spratt  
Stark  
Strickland

Stupak  
Sullivan  
Sweeney  
Tancredo  
Tanner  
Tauscher  
Taylor (MS)  
Taylor (NC)  
Terry  
Thomas  
Thompson (CA)  
Thompson (MS)  
Thornberry  
Tiahrt  
Tiberi  
Tierney  
Towns  
Turner  
Udall (CO)  
Udall (NM)  
Upton  
Van Hollen  
Velázquez  
Visclosky  
Walden (OR)  
Walsh  
Wamp  
Wasserman  
Wassers  
Watson  
Watt  
Waxman  
Weiner  
Weldon (FL)  
Weldon (PA)  
Weller  
Wexler  
Whitfield  
Wicker  
Wilson (NM)  
Wilson (SC)  
Wolf  
Woolsey  
Wu  
Wynn  
Young (AK)  
Young (FL)

## NAYS—9

Brown-Waite,  
Ginny  
Flake  
Gohmert

Johnson, Sam  
Paul  
Shadegg  
Shuster

Stearns  
Westmoreland

## NOT VOTING—9

Andrews  
Boswell  
Davis (FL)

Grijalva  
Keller  
Kingston

Lewis (GA)  
Roybal-Allard  
Schiff

□ 1803

Mr. STEARNS changed his vote from “yea” to “nay.”

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### MOURNING LOSS OF LIFE CAUSED BY EARTHQUAKE THAT OCCURRED ON OCTOBER 8, 2005, IN PAKISTAN AND INDIA

The SPEAKER pro tempore (Mr. LATOURETTE). The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 492.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. HYDE) that the House suspend the rules and agree to the resolution, H. Res. 492, on which the yeas and nays are ordered.

This will be a 5-minute vote.